

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

CLIFFORD W. KING,	)	
	)	
Plaintiff,	)	
	)	
v.	)	3:06-CV-423
	)	(PHILLIPS/GUYTON)
	)	
MICHAEL J ASTRUE,	)	
Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

The Court has the power “to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the [Commissioner], with or without remanding the cause for a rehearing. Shalala v. Schaefer, 509 U.S. 292, 296 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98 (1991). The parties have submitted a Joint Motion for Entry of Judgment with Remand under Sentence Four of 42 United States Code Section 405 (g), and said motion is presently pending before this Court. [Doc. 17]. The parties move for a remand, which would allow the Administrative Law Judge (ALJ) to make further findings of fact and explanations of those findings of fact in the record. Accordingly, this Court finds the Joint Motion [Doc. 17] well-taken, and it is **GRANTED**.

On remand, the Administrative Law Judge (ALJ) will further evaluate the medical source opinions of record, assess Plaintiff’s mental and physical impairments, and determine the credibility of Plaintiff’s symptoms. Additionally, the ALJ will reevaluate Plaintiff’s residual functional capacity and provide rationale, with specific references to the record, in support of the

assessed limitation, and, if necessary, obtain supplemental testimony from a vocation expert to assess Plaintiff's ability to perform past relevant work or work existing in significant numbers in the national economy in light of his limitations. The ALJ will also offer Plaintiff the opportunity to provide further medical evidence and to have a hearing. The ALJ will then issue a new decision.

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Procedure.

**IT IS SO ORDERED.**

**ENTER:**

s/ H. Bruce Guyton  
United States Magistrate Judge